

**BOROUGH OF WESTWOOD**  
**WORK MEETING OF THE MAYOR & COUNCIL**  
**APRIL 7, 2015 MINUTES**  
**MUNICIPAL COMPLEX**  
**101 Washington Avenue**  
**7:30 PM Executive Closed Session/8:00 pm Public Session**

**1. Opening of the Meeting:**

The meeting was called to order by Mayor Birkner at 7:30 pm. Mayor Birkner then read the Open Public Meetings Law Statement: "This meeting which conforms with the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a regular Borough Council meeting. Notices have been filed with our local official newspapers and posted on the municipal bulletin board."

**2. Roll Call:**

Mayor Birkner – Present  
Councilmember Owens – Present  
Councilmember Montana – Present  
Councilmember Miller – Absent  
Councilmember Grefrath – Present  
Councilmember Bicocchi - Absent  
Council President Arroyo – Present  
Borough Attorney Huntington – Present  
Interim Administrator Kezmarsky - Present  
Borough Clerk Hughes – Present

**Committee Assignments:**

Public Properties  
Health & Recreation  
Fire & Ambulance  
Finance, Administration & Capital Projects  
Land Use  
Police & Emergency Management

**3. Resolution #15 - 77: Executive Closed Session**

**Motion to adopt Resolution #15-77:** Councilmember Montana Second: Councilmember Owens

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes  
Councilmember Miller – Absent Councilmember Grefrath - Yes  
Councilmember Bicocchi – Absent Council President Arroyo – Yes

**4. Reopen the Meeting:**

**Motion to reopen the meeting:** Council President Arroyo Second: Councilmember Owens

Voice Vote: A voice vote was taken with all present voting in the affirmative. The time was 8:09 pm

**5. Roll Call II:**

Mayor Birkner – Present / Councilmember Owens – Present / Councilmember Montana – Present /  
Councilmember Miller – Absent / Councilmember Grefrath – Present / Councilmember Bicocchi -  
Absent / Council President Arroyo – Present / Interim Administrator Kezmarsky - Present /  
Borough Attorney Huntington – Present / Borough Engineer Senkevich – Present / Borough Clerk  
Hughes - Present

**6. Flag Salute**

Mayor Birkner led those present in the salute to the flag.

**7. Reports of Committees and Officials:**

**A) Mayor's Report**

**1) PSEG Energy Strong Project**

Mayor Birkner updated the Council on the progress of the Energy Strong project.

**2) Teen Program**

Mayor Birkner advised that the Township of Washington has agreed to the shared service for the Teen Program. He thanked Recreation Director Gary Buchheister for bringing that to the Governing Body's attention.

**3) Open Space Grant for 31 Nugent Place**

Mayor Birkner announced that the County Open Space Committee has recommended the grant for the purchase of 31 Nugent Place. He reviewed the tentative timetable for the purchase, razing and landscaping.

**4) Insurance Training**

Mayor Birkner reminded the Council that the MEL training course can be taken online.

**5) File of Life Program**

Mayor Birkner announced that the File of Life program, which provides first responders with emergency medical information, has resumed for Seniors. Packets can be picked up in the Police Department, or residents can call the Police Department or Mayor Birkner to arrange to have it delivered.

**6) Senior Needs Public Hearing**

Mayor Birkner advised that there will be a public hearing on the needs of senior citizens at the County on May 6<sup>th</sup>. The Council agreed to arranging transportation via the senior van.

**7) Jersey Energy Group Energy Aggregation**

Daniel Campbell and Ronal Nowak of Maser Consulting gave a presentation on energy aggregation.

**B) Engineer's Report**

**1) Biweekly Report**

Mr. Senkevich reviewed the biweekly report, a copy of which is attached.

**2) Second and Elm Project**

Mayor Birkner asked the status of the Second and Elm project, which was last year's road paving project. Mr. Senkevich said it would probably be bid with this year's project. Councilmember Owens asked Mr. Senkevich to confirm the library parking lot would be included, which Mr. Senkevich confirmed.

**C) Council Liaison & Committee Reports**

**1) Finance, Administration and Capital Projects: PG**

**a) Interim Administrator**

Councilmember Grefrath thanked Mrs. Hughes for her time as Interim Administrator, and welcomed Ben Kezmarsky as the new Interim, wishing him success. Councilmember Grefrath said the search committee is discussing meeting dates for moving forward with the hiring of an Administrator.

**b) Budget Overview**

Councilmember Grefrath said, "Tonight the Governing Body is introducing the 2015 Municipal Budget.

Someone once said that things get easier with experience. Well, when it comes to the Municipal Budget, understanding the process gets easier, but working with the numbers seems to be getting more difficult every year.

One of the notable goals our Governing Body set out to achieve during the preparation of this budget was to continue to maintain and/or improve the level of service to our constituents while controlling expenditures. And we continue to be victims held hostage by our own fine work of cutting, pruning, and careful spending.

Although this Governing Body was faced with a \$1.4 million budget increase right from the get-go, of which \$900,000 had to be cut, we believe we were able to meet the fiscal constraints of the proposed budget while meeting this goal for the 2015 fiscal year.

2015 has proven to be an extremely difficult fiscal year with respect to meeting the 2% state tax levy cap restriction due to a decrease in anticipated recurring revenue of approximately \$700,000, increase in operating expenses of \$500,000 as well as an increase of non-operating expenses of \$150,000. The Borough's decrease in revenue is a result of declining recurring construction activity and the continued availability of surplus -- as well as the increase in expenses largely due to health insurance costs, utility costs and debt service costs all of which are beyond the immediate control of the Governing Body. The budget we are introducing tonight, however, is once again under both the state mandated Appropriation and Tax Levy Caps.

The proposed 2015 budget utilizes \$674,000 of surplus, resulting in approximately 55% of the overall surplus available. This amount of surplus is the smallest dollar amount of surplus we've utilized since at least 2005, and the lowest percentage since 2009 when \$1.3 million of surplus was utilized. The more efficient we become, the less available surplus we have to use.

The total budget being introduced for 2015 is \$17,757,513, an increase of only \$7,499 over last year's budget of \$17,750,014 or 0.04% increase. Once again, our volunteers, department heads, boards, and employees are being asked to continue to do more with less.

The Major Budget Appropriation Increases Include:

- Employee Group Insurance - \$117,000
- Utility Costs - \$93,000
- Debt Service - \$126,000

Major Budget Revenue Decreases Include:

- Surplus – \$548,000
- Uniform Construction Code Fees - \$96,000

The total increase in appropriations and decrease in revenues resulted in a total municipal tax levy increase of approximately \$515,033 -- from \$13,718,650 in 2014 to \$14,233,683 in 2015. This translates into a municipal tax rate increase from 0.787 in 2014 to 0.781 in 2015, or an increase of \$116 per year on an average home assessed at \$387,000. This increase includes the funding of the library, which continues to be above the state mandated minimum amount by approximately \$74,000. Please keep in mind that this budget represents only the municipal portion of your tax bill. The remainder of the tax bill includes the school and county adopted budgets.

During the preparation of this budget, the Governing Body requested a preliminary impact analysis on fiscal years 2016 and 2017. As a result, I believe the budget presented here tonight will continue

to contribute to the solidifying of a stable fiscal foundation for the Borough of Westwood for the coming years.

I would like to thank all of the people who played an important role in developing this fiscally responsible budget including our Finance Department members CFO Durene Ayer, Gloria Seidel and Stefanie Stokes; our Finance Committee, which includes Councilman Miller, Mayor Birkner and Former Interim Administrator and Current Borough Clerk Karen Hughes; our Borough Auditor Gary Vinci; as well as the department heads and municipal staff members, who made informed and difficult budget reductions within their groups. Finally, I would like to thank the entire Governing Body, who was called upon several times to make extremely difficult discussions.

The public will have an opportunity to review this budget and comment at our public hearing on Tuesday, May 5, 2015 at 8:00 p.m., here at the Municipal Center.

**c) Introduction of Ordinance # 15-7: An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank**

**BE IT RESOLVED** that Ordinance #15-7 entitled “An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank” is hereby introduced by title; and **BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to advertise said ordinance with an May 5, 2015 hearing date in the official newspaper according to law.

**Motion to pass the ordinance on First Reading:** Councilmember Grefrath Second: Councilmember Owens

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|--------------------------------------|--------------------------------|
| Roll Call: Councilmember Owens - Yes | Councilmember Montana - Yes    |
| Councilmember Miller – Absent        | Councilmember Grefrath - Yes   |
| Councilmember Bicocchi – Absent      | Council President Arroyo – Yes |

**d) Resolution #15 - 78: Introduction of 2015 Municipal Budget**

**Motion to adopt Resolution #15-78:** Councilmember Grefrath Second: Councilmember Owens

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes  
Councilmember Miller – Absent Councilmember Grefrath - Yes  
Councilmember Bicocchi – Absent Council President Arroyo – Yes

**e) By Laws**

The Governing Body reviewed and revised the latest draft of the bylaws.

**2) Health and Recreation:**

**a) Community Center Lights**

Councilmember Montana discussed the proposed Community Center improvements. There will be a capital ordinance on the next meeting for upgrading the gym lighting. The funding is ultimately coming from the utility trust fund.

**b) Voorhis Park Parking**

Councilmember Montana introduced a discussion on parking in the area of Voorhis Park. After discussing concerns it was recommended that the Recreation Director and Police Chief work on a plan to present for the Governing Body’s review.

**c) Health Department Update**

Councilmember Montana announced that Board of Health member Donna Bott has volunteered to assist seniors in completing the File for Life questionnaire. Mayor Birkner noted there will be workshops in the future.

**3) Land Use:**

**a) Land Use Boards Update**

On behalf of Councilmember Bicocchi, Mayor Birkner reported that the Planning Board meeting was cancelled. The Zoning Board is holding hearings on Med Express.

**4) Police and OEM:**

**a) Bandstand Roof**

Council President Arroyo noted the bandstand roof repairs are complete and thanked Councilmember Owens, Mrs. Hughes, Mr. Marini and Councilmember Bicocchi for getting the project completed.

**b) Parking Authority Appointment**

Council President Arroyo advised that he and the Mayor are recommending MaryAnn Basset as the appointment to the Parking Authority.

**c) Borough Hall Roof**

Council President Arroyo relayed the suggestions to remove several of the Borough Hall dormers as part of the roof bid, and also remove the trees in front of the building, to help alleviate the ice dams. It was decided to write it as an alternate to be used if the situation could not be remedied with flashing.

**5) Public Properties:**

**a) DPW Update**

Councilmember Owens reported that repairing the street sweeper shared with RiverVale would cost \$21,000 with no guarantees. He discussed options, including renting the Paramus sweeper to do the downtown, purchasing the old sweeper and refurbishing it, and borrowing the County sweeper. Mr. Kezmarsky will call the County tomorrow to inquire about using their sweeper for a few weeks.

**D) Attorney's Report**

No report.

**E) Administrator's / Clerk's Report**

**1) Shake a Can Ordinance**

Mrs. Hughes has contacted the County to ask what County roads they would deem acceptable for fundraisers. She reviewed the Borough roads that the Police are suggesting as alternatives.

**2) Sale of Excess Properties**

Mrs. Hughes informed that the Tax Assessor would like to solicit a proposal from Michael Pelligrino for title searches for the excess properties in preparation to sell them. Mr. Huntington said he would like to review the list, since some sales have been attempted in the past. The consensus was to solicit the proposal, and provide the list to Mr. Huntington.

**8. Agenda/Public Forum:**

**Motion to open Agenda/Public Forum:** Councilmember Owens Second: Council President Arroyo  
Voice Vote: A voice vote was taken with all present voting in the Affirmative.

No one wished to be heard.

**Motion to close Agenda/Public Forum:** Councilmember Owens Second: Council President Arroyo  
Voice Vote: A voice vote was taken with all present voting in the affirmative.

**9. Ordinances of First & Final Reading:**

**Ordinance on Introduction**

At the request of Councilmember Montana, all ordinances were carried to the next meeting for introduction.

14-16 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The Acquisition Of A Garbage Truck For The Borough of Westwood Department of Public Works And Appropriating \$241,500 Therefor And Providing For The Issuance Of \$229,425 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same

14-17 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The Acquisition Of Various Equipment For The Borough Fire Department And Other Related Expenses In And For The Borough Of Westwood And Appropriating \$113,663 Therefor, And Providing For The Issuance Of \$107,979 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same

14-18 An Ordinance of the Borough of Westwood, In the County of Bergen, New Jersey, Providing for the Band Stand Improvements And Other Related Expenses in and for the Borough of Westwood and Appropriating \$16,000 Therefor, and Providing for the Issuance of \$15,200 in Bonds or Notes of the Borough of Westwood to Finance the Same

14 -23 An Ordinance of the Borough of Westwood, In the County of Bergen, New Jersey, Providing for the Replacement of the Emerson Road Pump Station and Other Related Expenses in and for the Borough of Westwood and Appropriating \$400,000 Therefor, and Providing for the Issuance of \$380,000 in Bonds or Notes of the Borough of Westwood to Finance the Same

**10. Presentation of Bills, Financial Reports and Resolutions:**

Councilmember Grefrath asked if there were any resolutions to add to the Consent Agenda. He stated that any Councilmembers who wished to remove any Resolution(s) to be voted upon separately could do so at this time, otherwise the Consent Agenda would be enacted in one motion. Resolutions l and m were added at this time.

**Resolutions as Consent Agenda:**

- a) Resolution #15 - 79: Bill List & Statement of Cash
- b) Resolution #15 - 80: Authorizing Redemption of Tax Sale Certificate #14-00003
- c) Resolution #15 - 81: Authorizing Hire of Police Dispatcher
- d) Resolution #15 - 82: Approval of Mr. & Mrs. Levy's Application to Consume Alcoholic Beverages on Public Property
- e) Resolution #15 - 83: Approval of Mrs. Bulger's Application to Consume Alcoholic Beverages on Public Property
- f) Resolution #15 - 84: Temporary Budget Amendment
- g) Resolution #15 - 85: Use of Veterans' Park - Exotic Car Show
- h) Resolution #15 - 86: Appointment to the Parking Authority
- i) ) Resolution #15 - 87: Westwood Volunteer Fire Dept - Matters of Personnel
- j) Resolution #15 - 88: Approval to Cancel Tax Balances for Unknown Property
- k) Resolution #15 - 89: Authorization for Submission of an HDSRF Grant Application for the Pistol Range
- l) Resolution #15 - 90: 2015-2016 Limo License Renewal - NA Limo, Inc.
- m) Resolution #15 - 91: Authorization to File Adequate Housing Plan

**Motion to adopt resolutions #15-79 through #15-91:** Councilmember Grefrath  
Second: Councilmember Owens

|                                      |                                |
|--------------------------------------|--------------------------------|
| Roll Call: Councilmember Owens - Yes | Councilmember Montana - Yes    |
| Councilmember Miller – Absent        | Councilmember Grefrath - Yes   |
| Councilmember Bicocchi – Absent      | Council President Arroyo – Yes |

#### **11. Adjournment:**

**Motion to adjourn:** Councilmember Owens      Second: Council President Arroyo

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 10:10 pm.

Attest:

*(signed) Karen Hughes*

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk